REMARKS

This communication is a full and timely response to the aforementioned final Office Action dated March 18, 2009. By this amendment, claims 1-3, 10, 16, 17 and 23 are amendment, and claim 15 is cancelled. Claims 4-9, 11-14 and 18-22 are not amended and remain in the application. Thus, claims 1-14 and 16-23 are pending in the application. Claims 1, 10 and 17 are independent.

Reconsideration of the application and withdrawal of the rejections of the claims are respectfully requested in view of the following remarks.

I.   Interview

Applicant thanks Examiner Hussain and supervisory Examiner Dohm for kindly conducting a personal interview with Applicant's undersigned representative on August 12, 2009.

During the interview, Applicant's representative indicated sections of the specification and drawings which provide written support for the claimed invention, and discussed the claimed invention in view of the Office's interpretation of the applied art. Applicant's representative also demonstrated reasons why a proposed amendment of claim 1 overcomes the applied art, as evidenced in the Interview Summary record. The reasons therefor are summarized below.

A copy of the proposed amendment of claim 1 was kindly reproduced in the Interview Summary record. Claim 1 has amended identical to the proposed amendment of claim 1. Independent claims 10 and 17 have also been amended similar to the amendments to claim 1.

II.   Objection to Specification

The specification was objected to as allegedly not providing proper antecedent basis for the claimed subject matter. This objection is respectfully traversed for at least the following reasons.

In the Response to Final Rejection filed on June 18, 2009, Applicants traversed the improper objection to the specification. However, the Advisory Action mailed on July 7, 2009 did not address the traversal of the objection to the specification.

For completeness of the record, the following remarks are presented with respect to the improper objection to the specification. During the interview, Applicant's representative noted to Examiner Hussain of the well-settled principle that a claimed invention does not need to have word-for-word correspondence to the words used in the specification, i.e., using the exact same terms or *in haec verba*. See MPEP 2163.02. The objection to the specification appears to be improperly based on an *in haec verba* interpretation for providing antecedent basis for the claimed invention.

In numbered paragraph 5 on page 2 of the Office Action, the Office quoted claim 1 as reciting "…mail sent from said server by **altering the representation** of the folder tree structure…with the **altered representation** of the folder tree structure" (emphasis in original).

The Office did not identify which features recited in claim 1 are not believed to have proper antecedent basis in the specification. However, by emphasizing certain features in the above-quoted passage of claim 1, it appears that the Office believes that the specification does not provide proper antecedent basis for the features of (1) altering, at the client, the representation of the folder tree structure that is transmitted from the server in response to the inquiry mail sent from the client, and (2) the client sending to the server a reply email with the altered representation of the folder tree structure and an attached file.

As noted above, the subject matter of a claimed invention need not be described literally in the specification. Rather, the disclosure as a whole, including the specification, claims and drawings, constitutes the written description of an application from which Applicant may provide support and antecedent basis for the claimed invention. See MPEP 2163.02 (citations omitted). The drawings of an application constitute part of the written description of an application. See MPEP 2163.II.A.3(a), third paragraph (citations omitted).

The Office must have a reasonable basis to challenge the adequacy of the written description. The Office bears the burden of presenting, by a preponderance of evidence, why a person skilled in the art would not recognize in Applicant's disclosure a description of the invention defined by the claims. See MPEP 2163.04. In contradistinction to this standard, the Office did not articulate any reason as to

why the specification and drawings are not believed to provide antecedent basis for features (1) and (2).

Applicant respectfully submits that the specification and drawings, unquestionably, provide proper antecedent basis for all the recited features of the claimed invention, and that Applicant had possession of the claimed invention, at the time the application was filed.

As described below with reference to exemplary embodiments disclosed in the specification and drawings, the present application unequivocally provides proper support and antecedent basis for the claimed invention.

For instance, Figure 5 of the present application illustrates a functional diagram of file upload processing between a client (e.g., user PC 100a illustrated in Figure 1) and a server (e.g., server 200 illustrated in Figure 1), to upload a particular file to a predetermined folder at the server. As described in paragraph [0054] on page 6 of the specification, in step S103 in Figure 5, the client sends a mail to the server requesting a folder tree structure of a directory at the server. In response to receiving the inquiry mail from the client, the server, as described in paragraph [0055] on page 6, searches for a folder within the server that can be accessed by the requesting client, and "creates data representative of the tree structure for that folder" (see step S107 in Figure 5). As described in paragraph [0056] spanning pages 6 and 7 and as illustrated as step S109 in Figure 5, the server then sends a mail to the client that includes a representation of the folder tree structure.

Figure 6 illustrates an example of a folder tree structure that is at the server. In the example of Figure 6, the root folder contains two subordinate folders: folders A and B. Folder A contains a subordinate folder of folder AA. Figure 8 illustrates an example of a pictorial representation of a folder tree structure in text format that is sent to the client by mail from the server. As described in paragraph [0072] spanning pages 8 and 9 of the specification with reference to the pictorial representation of the folder tree structure created by the server, the server creates a tree structure "in text format." The client receives the mail sent from the server that includes the pictorial representation of the tree structure created in text format at the server. For example, see step S109 in Figure 5 and the mail received by the client

as illustrated in Figure 8, which unequivocally illustrates that the client receives a pictorial representation of the folder tree structure in text format from the server.

The client includes a third transmission portion that designates a storage folder within the folder tree structure contained in the mail sent from the server <u>by altering the pictorial representation of the folder tree structure</u> contained in the mail sent from the server, and sending a reply email to the server that contains the <u>altered pictorial representation of the folder tree structure</u> and a file to be attached in the designated storage folder. See, for example, paragraph [0076] on page 9 of the specification, which provides that the client alters (modifies) the "description of the tree structure."

Figures 9-13 illustrate examples of how the storage location in a folder tree structure is designated by alerting the pictorial representation of the folder tree structure sent from the server to the client. For example, in Figure 9, the client inserts a line below "Folder AA" in the representation of the folder tree structure sent from the server to designate folder AA as the storage folder for "File X," which is sent with the reply email from the client to the server. In the example of Figure 10, the client designates that "File X" is to be stored in "Folder AA" and "Folder B" by inserting a line below each of these folders. In the example of Figure 11, File X and File Y are both stored in "Folder AA" based on the alteration of the representation of the folder tree structure. In the example of Figure 12, Files Y, Z and X are stored in respective folders. For example, by altering the representation of the folder tree structure sent from the server, the client in the example of Figure 12 has inserted two lines below "Folder AA" and one line below "Folder B." Based on the order in which attached files are identified in the reply email, the server determines that files Y and Z are to be stored in "Folder AA" and file X is to be stored in "Folder B." Figure 13 illustrates an example in which a plurality of attached files are designated to be stored in one ore more storage files within the folder tree structure based on the insertion of a numerical character below the respective storage folder(s), where the numerical characters respectively correspond to an order in which the attached files are identified in the reply email from the client to the server. For example, in Figure 13, the server determines that File Z, which is the third identified attached file, is to be stored in the "Root Folder" and in "Folder AA," based on the client's alteration of

the representation of the folder tree structure in the reply mail sent from the client to the server.

Each of the above-described examples in the specification unequivocally provide clear and proper antecedent basis for the recitation in claim 1 that the third transmission portion, at the client, designates a storage folder within the folder tree structure contained in the mail sent from the server in the form of a reply to the mail sent from the server <u>by altering the pictorial representation of the folder tree structure</u> contained in the mail sent from the server, and sending a reply mail with the <u>altered representation of the folder tree structure in text format</u> and an attached file to the server.

Accordingly, having demonstrated that each feature recited in claim 1 has clear antecedent basis in the specification, Applicant respectfully requests that the improper objection to the specification be withdrawn.

III. Rejections Under 35 U.S.C. § 103(a)

A. Claims 1, 2, 4-15, 17, and 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dillingham et al. (U.S. 6,327,608, hereinafter "Dillingham") in view of Berchtold et al. (U.S. 6,678,705, hereinafter "Berchtold"), and further in view of Miyamura et al. (U.S. 2002/0191222, hereinafter "Miyamura").

This rejection is respectfully traversed. The applied references do not disclose or suggest all the recited features of the claimed invention, for at least the following reasons.

Claim 1 recites that the third transmission portion, at the client, designates a storage folder within the folder tree structure contained in the mail sent from the server in the form of a reply to the mail sent from the server <u>by altering the pictorial representation of the folder tree structure</u> contained in the mail sent from the server, and sending a <u>reply mail</u> with the <u>altered pictorial representation of the folder tree structure in text format</u> and an attached file to the server.

In addition, claim 1 recites that the storage portion, at the server, stores the attached file in the storage folder <u>as designated in the reply mail</u>, in response to the reply mail sent by the client.

As acknowledged by the Office, Dillingham and Berchtold, either individually or in combination, do not disclose or suggest the above-described features of claim 1.

In contrast, Dillingham discloses a server administration technique in which a client can browse and administer file directories resident on a server. Dillingham discloses that a user interface (UI) is installed on the client device in response to an HTTP request from the client, and the user interfaces allows the client to access a cached version of the file directories (see Abstract, Column 2, line 51 to Column 3, line 2, and Column 7, lines 10-32).

Berchtold discloses an architecture for document archival in which a client sends an email to a server to store a file based on the email address used by the client. For instance, if the archiving server is given a name of "Save Me" and an Internet address of "saveme.com," the client can instruct the archiving server to store a file in a folder "ABC" of the archiving server by sending an attachment to the email address "abc@saveme.com" (see Column 3, lines 9-24).

However, as acknowledged by the Office, neither Dillingham nor Berchtold disclose or suggest the recited features of a client (1) designating a storage folder within a folder tree structure contained in a mail sent from a server that includes a representation of a folder tree structure, by altering the pictorial representation of the folder tree structure contained in the mail sent from the server, and (2) sending a reply mail with the altered pictorial representation of the folder tree structure in text format and an attached file to the server.

In striving to arrive at features (1) and (2) of claim 1, the Office asserted that Miyamura discloses features (1) and (2). This assertion is not supportable and is contrary to the disclosure of Miyamura.

Miyamura discloses a Web filing system in which files may be stored at a Web server by using a Web browser at a client device (file generation apparatus). In such a Web filing system, the client device will receive an electronic mail describing a URL of the Web filing system, as well as the file name of the file and the storage location of the file, after the file has been stored in the Web server (see paragraph [0003]).

Paragraphs [0004]-[0010] of Miyamura disclose how the client can alter the storage location of a file to be stored, so that a destination folder desired by the client

can be used to store the file that is requested to be saved. However, Miyamura is fundamentally different from the claimed invention for at least the following reasons (A)-(C):

(A) The Web server of Miyamura does not transmit mail that contains a pictorial representation of a folder tree structure to the client.

On the contrary, as described in paragraph [0004], Miyamura discloses that upon receiving a client-named file for which there is a registration (storage) request, the Web server sends the client a URL notation as shown in Figure 6, in which the storage folder name and file name for the file are specified. If the client clicks on the URL link, the client is taken to a screen displayed on the Web server's site (see paragraph [0006]). There is no pictorial representation of the folder tree structure in text format in the URL notation transmitted to the client.

(B) The client device does not alter the pictorial representation of a folder tree structure to designate a storage folder.

On the contrary, as illustrated in Figures 7-9, the user changes a file name or storage folder by operating radio buttons in a predefined user interface screen presented on the Web server. For instance, Figures 7-9 are illustrations of the user interface screen displayed on the Web server's site. As shown in Figure 8, the screen displayed on the Web server's site lists the names of files stored in a particular folder. If the client desires to change the storage destination of a file, the Web server displays an operation screen as shown in Figure 9 of Miyamura (see paragraph [0008]). Using the operation screen displayed on the Web server's page, the user can then change the storage folder of a file. For instance, the client can select that the file having the name "id00903739" be stored in folder "Folder 1" instead of folder "MarsLAN-test" (see Figure 9, and paragraphs [0009]-[0010]).

Accordingly, Miyamura does not disclose, suggest or contemplate that the client device alters the pictorial representation of the folder tree structure5. On the contrary, as shown in the left hand side of Figures 7-9, the folder tree structure is left entirely intact throughout any file storage designation operation of the client device.

(C) The client device does not transmit a reply mail to the Web server containing an altered pictorial representation of a folder tree structure.

This feature is not disclosed, suggested or contemplated in Miyamura. There is no disclosure or suggestion in Miyamura that the client device transmitting a mail to the Web server to designate a particular storage folder in which to store a file. Furthermore, there is no disclosure or suggestion in Miyamura that the client device transmits a mail containing an altered pictorial representation of a folder tree structure in text format to the Web server.

On the contrary, Miyamura discloses that a client must select a storage folder on an access page displayed on the Web server's website. Using a Web-based access screen displayed on the Web server's site to alter a storage location of a file does not correspond to or arrive at transmitting a reply mail containing an altered pictorial representation of a folder tree structure to a server.

Accordingly, similar to Dillingham and Berchtold, Miyamura does not disclose or suggest that the client device (1) designates a particular storage folder within a folder tree structure contained in a mail sent from the Web server that includes a pictorial representation of a folder tree structure, by altering the pictorial representation of the folder tree structure contained in the mail sent from the server, and (2) sending a reply mail with the altered pictorial representation of the folder tree structure in text format and an attached file to the server.

Therefore, Applicant respectfully submits that Miyamura does not cure the deficiencies of Dillingham and Berchtold for failing to disclose or suggest features (1) and (2) of claim 1.

Furthermore, since Dillingham, Berchtold and Miyamura do not disclose or suggest features (1) and (2), these references also cannot disclose or suggest the storage portion as recited in claim 1, which stores the attached file in the storage folder as designated in the reply mail.

Therefore, Applicant respectfully submits that Dillingham, Berchtold and Miyamura, either individually or in combination, do not disclose or suggest the third transmission portion and storage portion as recited in claim 1. Consequently, no obvious combination of Dillingham, Berchtold and Miyamura would arrive at the subject matter of claim 1, since these references, either individually or in combination, fail to disclose or suggest all the recited features of claim 1.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that claim 1 is patentable over Dillingham, Berchtold and Miyamura.

Claim 17 recites a data management server that comprises a transmission portion sending a <u>pictorial representation of a folder tree structure to a client</u> by mail in response to an inquiry mail sent from the client. In addition, claim 17 recites that the server comprises a storage portion storing an attached file into a designated storage folder when a reply mail is received from the client with an attached file by <u>determining the designated storage folder in the folder tree structure based on an alteration pictorial representation of the folder tree structure in text format contained in the mail sent by the transmission portion</u> that is sent in the reply mail from the client.

Claim 10 recites a computer-readable recording medium having a data management product recorded thereon that causes a computer to execute operations corresponding to the constituent elements of the data management server as recited in claim 17.

As demonstrated above, Dillingham, Berchtold and Miyamura, either individually or in combination, do not disclose or suggest designating a storage folder by altering a pictorial representation of a folder tree structure contained in a mail sent from a server device, and sending a reply mail to a server containing the altered pictorial representation of the folder tree structure. Therefore, for reasons similar to those presented above with respect to claim 1, Applicant respectfully submit that Dillingham, Berchtold and Miyamura also fail to disclose or suggest the second step as recited in claim 10, and the storage portion as recited in claim 17.

Therefore, Dillingham, Berchtold and Miyamura do not disclose or suggest all the recited features of independent claims 1, 10 and 17. Consequently, Applicant respectfully submits that claims 1, 10 and 17 are patentable over Dillingham, Berchtold and Miyamura, since these references, either individually or in combination, fail to disclose or suggest each and every recited feature of claims 1, 10 and 17.

Furthermore, in view of the distinctions discussed above, Applicant respectfully submits that one skilled in the art would not have reason or been

motivated to modify Dillingham, Berchtold and Miyamura in such a manner as to arrive at, or otherwise render obvious, the inventions of claims 1, 10 and 17.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that claims 1, 10 and 17, as well as claims 2-9, 11-14, 16 and 18-23 which depend therefrom, are patentable over Dillingham, Berchtold and Miyamura.

B. Dependent claims 3, 16, and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dillingham in view of Berchtold and Miyamura and further in view of Mutton et al. (U.S. 2002/0147840 A1, hereinafter "Mutton").

Similar to Dillingham, Berchtold and Miyamura, Mutton fails to disclose or suggest the third transmission portion and storage portion as recited in claim 1, as well as the second step of claim 10 and the storage portion of claim 17. Consequently, Mutton cannot cure the deficiencies of Dillingham and Berchtold for failing to disclose or suggest all the recited features of claims 1, 10 and 17.

Therefore, Applicant respectfully submits that claims 1, 10 and 17, as well as claims 2-9, 11-16 and 18-23 which depend therefrom, are patentable over Dillingham, Berchtold, Miyamura and Mutton.

Dependent claims 2-9, 11-16 and 18-23 recite further distinguishing features over the applied references. The foregoing explanation of the patentability of independent claims 1, 10 and 17 is sufficiently clear such that it is believed to be unnecessary to separately demonstrate the additional patentable features of the dependent claims at this time. However, Applicant reserves the right to do should it become appropriate.

IV.   Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, a favorable examination and consideration of the instant application are respectfully requested.

If, after reviewing this Amendment, the Examiner believes there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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